placing a brand on a loose animal a fine can be imposed of half the value of the animal. Placing one's brand on an animal with one for safe-keeping, is not considered reprehensible if such a one is returned on the first demand. According to Kyulbaev (of the Kurama uyezd), putting one's brand on a strange animal unnecessarily (bikerge), whether it is a loose animal or one received for safe-keeping, is punishable by a fine of 20 rubles. According to the Kirgiz Daniyar, placing one's brand on a strange animal is considered as clear (zakhir) stealing, and is punished in proportion to the penalties of the assemblies (siez kesimi menen) i. e., for one sheep 4 sheep must be paid and 4 rubles in addition. 685

The owner of the lost object usually appears before the person suspected of the theft accompanied by two or more outside impartial persons (khalis ksi), exceptionally only one, and searches (tentedi) him. The outsiders serve as witnesses. If the suspect does not permit himself to be searched (tentkizbese), he is considered to be guilty. 685 627

When a thief is caught by the owner of the stolen livestock, he usually gives up or promises to give up everything which was stolen by a certain period of time, often according to a voucher, asking only that no suit be charged for the exaction of the usual fine. The owner may be satisfied by the return of his property and by taking away a horse or a coat, i. e., atton (1) from the thief, as a reward

1. Sometimes a horse and gun or some other object is taken under this name.

to the captor.

When there are several thieves, the one who is at hand is held responsible. When only the father of the thief is at hand, a suit directed against him is accepted by the biis for trial, on the basis of responsibility by reason of kinship. 685 672

/167/ If a thief rode a strange horse when committing the crime, the owner of the horse is a participant in the theft.

If the plaintiff confirms the fact that when the defendant was caught the latter gave him money in order to end the affair, and if later the accused clears himself by an oath, the money in question is ruled to the defendant. 685

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According to the communication of Sultan Daulet Bushaev, a thief from a distant place, whom it would be difficult to find again, 697.

697 is imprisoned at night in a pit which is covered by a grating, and someone sleeps on top of the grating. He is not kept in the tent lest he kill someone, flee, cause a disturbance, and among other things, do wrong to someone. They put horse locks (ksen) on the legs of a thief from a nearby place, passing them through the sidepiece of the tent at night, and pemitting him to walk about in them during the day.

Among the Kirgiz, captured thieves are bound and then subjected to corporal punishment (dzharb kursetedi) until /vpred'do/ the affair is investigated by the bii. Without denying the injustice of puinishment before the judgment of the affair by the bii, Kunakbay (Auliye-Ata uyezd) justifies this custom for those cases where the thief is caught red-handed or was armed with a spear or an ax (aybalta).

If the thief is caught in the act of stealing and refuses to go to the nearest volost official, arguing that he is innocent, or if he attempts to flee, then he is bound. If the thief continues to deny his guilt after that, or to make various claims, he is beaten in order to force confession (chiningdy ayt). The volost official to whom they take the prisoner asks him such questions as: "Are you a thief? Where did you steal from? (or come from). If you are not a thief, clear yourself and I will let you go free. But if you did steal, I will give you over to the owner of the stolen goods." The thief is transferred into the hands of the owner. The owner of the stolen goods keeps the thief in his tent until the presentation of his suit /168/ in court. The prisoner is kept bound or in general in such a way that he cannot escape (kitpes kylyb baylaydy) his legs are fettered (ksen salady), and also he is beaten, but not much (kub savamaydy). They do not beat or abuse a well-known person(bilimdy ksi). A bii does not accept complaints from the thief for blows, saying: "That is your punishment (dzhaza)". (Communicated by bii Abdurakhman, Auliye-Ata uyezd).

694 If the thief is captured while stealing at night, his captor confines him in the tent and interrogates him: "Why are you stealing?
692 Was it not you who also stole what was lost last year and the years before?" Bound and confused, the thief often confesses, while being beaten, to all these crimes, of which he is completely innocent, and of which they accuse him only in order to frighten him. Later they inform the volost official of his confession and send him the thief himself. The volost official also holds the thief in confinement, interrogates him and notifies his relatives. The best people from among